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Total Number of Pages in This Submission

| | |
|--|-------------------------------------|
| Application Number | 10/639,050 |
| Filing Date | August 11, 2003 |
| First Named Inventor | ZARINS, Sascha |
| Art Unit | 3736 |
| Examiner Name | Charles A. Marmor II |
| Total Number of Pages in This Submission | 7 |
| Attorney Docket Number | 032,290-096 (formerly 412692000901) |

ENCLOSURES (Check all that apply)

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| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|-----------------------|----------|--------|
| Firm Name | O'Melveny & Myers LLP | | |
| Signature | Diane K. Wong | | |
| Printed name | Diane K. Wong | | |
| Date | January 23, 2006 | Reg. No. | 54,550 |

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Patent
Attorney Docket: 032,290-096
(Formerly 412692000901)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

ZARINS et al.

Serial No.: 10/639,050

Filed: August 11, 2003

For: BIOPSY MARKER DELIVERY
SYSTEM

Group Art Unit: 3736

Examiner: Charles A. Marmor II

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.116

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed on November 22, 2005, please enter the following amendments.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 5 of this paper.

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Cynthia B. Pacheco
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